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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

DON'T SHOOT PORTLAND, et al.

Plaintiffs

v.

CITY OF PORTLAND, a municipal
corporation, and MULTNOMAH COUNTY, a
political subdivision of the State,

Defendants.

Case No. 3:20-cv-00917-HZ

DECLARATION IN SUPPORT OF
PLAINTIFF'S MOTION TO SHOW CAUSE
WHY DEFENDANT CITY OF PORTLAND
SHOULD NOT BE HELD IN CONTEMPT

ORAL ARGUMENT REQUESTED

EXPEDITED HEARING REQUESTED

I, Camilla Ruth Kaplan, declare as follows pursuant to 28 USC § 1746:

1. I have personal knowledge of the information contained in this declaration. If called upon to do so, I could and would competently testify regarding the matters set forth herein.
2. On June 27, 2020, I attended a protest at the Justice Center in downtown Portland, Oregon.
3. I was aware that there was a temporary restraining order in place. Because of this, I expected that law enforcement officers would exercise restraint with regard to how they used force against protesters, including those who engaged in passive resistance.
4. I arrived downtown at around 10:00–10:30pm. I estimate hundreds of people were there demonstrating. I stood with the crowd on SW 3rd Avenue, near Main Street. People were chanting and supporting one another, handing out snacks and cups of coffee.
5. Eventually, I noticed a line of law enforcement officers lined up on SW 3rd Avenue and Salmon Street. Some people in the crowd moved back, and I was towards the front of the crowd facing this line of officers, who were standing about half a block away from me. At some point, I noticed a van and another group of law enforcement officers towards the east.

6. In response to presence of officers lined up in riot gear, the crowd started putting our hands up and yelling things like, “Don’t shoot!”, “We’re just talking to you!”, “We have First Amendment rights!”, and “I don’t see no riot here, take off your riot gear!”

7. People in the crowd then started chanting, “All cops are bastards!” Shortly after, the line of officers charged at the crowd with their batons. I was shocked by the officers’ conduct; I had not seen anyone throw anything, start fires, or otherwise threaten the lives or safety of the officers or anyone else. I had not thrown anything, I had not started a fire, and I had not otherwise threatened the lives or safety of the officers or anyone else.

8. As the officers charged, the crowd started retreating: some people ran, and others tried to maintain calm and back up. At one point, I witnessed a law enforcement officer directly spray a protester in the face with pepper spray at close range. Some of the chemical agent came through the N-95 mask I was wearing as a COVID-19 precaution. I immediately started coughing.

9. Even though the crowd was backing up, law enforcement officers continued to shove people. At one point, I yelled that protesters could not back up because there was nowhere to go. But law enforcement officers continued pushing and shoving.

10. Then, a flash bang grenade went off near me. It startled me; there was no reason why officers should have thrown it. Law enforcement threw another flash bang grenade, and I felt something hot hit my leg. I felt disoriented and numb and wasn’t sure if I was bleeding or not, but my leg was injured.

11. Law enforcement officers then threw something like a smoke bomb into the crowd. Again, I did not witness anything to justify the continued use of force and weapons: for example, I had not thrown anything at the officers, I had not started a fire, and I did not witness anyone else do anything like that.

12. The smoke felt heavy and irritated my throat and lungs. I started coughing. My senses were

disoriented from the smoke and the earlier flash bangs.


13. I left the area shortly after because I wasn't sure to what extent my leg was injured from the flash bang grenade and because I was afraid that law enforcement officers would continue to harm us.

14. Law enforcement officers' conduct the evening of June 27, 2020, was scary and dangerous. I witnessed officers shoving people who were already complying and backing away and purposely spray people in the face with chemical agents. It was unclear to me what the law enforcement objectives were throughout the whole night. Based on their conduct, I felt officers just wanted to attack protesters and hurt us out of maliciousness.

15. I support continuation of the current protests because I think it's the only way to stop police from continuing to kill Black people. I fear that law enforcement officers will continue to attack, injure, and possibly kill protesters, especially given what I saw on June 27. Even though I know there is a very real risk of injury at the hands of law enforcement, I plan to engage in further demonstrations because I am committed to ending police violence against Black people.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 29, 2020.

DocuSigned by:

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CAMILLA RUTH KAPLAN